



## Security Council

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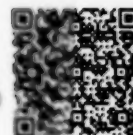
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### **Letter dated 23 June 2017 from the Secretary-General addressed to the President of the Security Council**

I have the honour to convey herewith the sixth report of the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism (see annex).

I should be grateful if the present letter and its annex could be brought to the attention of the members of the Security Council.

*(Signed)* António Guterres



**Annex**

**Letter dated 23 June 2017 from the Head and the members of  
the Leadership Panel of the Organisation for the Prohibition of  
Chemical Weapons-United Nations Joint Investigative Mechanism  
addressed to the Secretary-General**

The Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism has the honour to transmit its sixth report pursuant to Security Council resolutions 2235 (2015) and 2319 (2016).

*(Signed)* Edmond **Mulet**  
Head

Organisation for the Prohibition of Chemical Weapons-  
United Nations Joint Investigative Mechanism

*(Signed)* Judy **Cheng-Hopkins**  
Leadership Panel

*(Signed)* Stefan **Mogl**  
Leadership Panel

**Enclosure****Sixth report of the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism****I. Introduction**

1. The present sixth report of the Organisation for the Prohibition of Chemical Weapons (OPCW)-United Nations Joint Investigative Mechanism, submitted pursuant to Security Council resolutions 2235 (2015) and 2319 (2016), covers the period following the fifth report (S/2017/131), from 11 February 2017 to 22 June 2017.

**II. Background**

2. As set forth in Security Council resolutions 2235 (2015) and 2319 (2016), the mandate of the Mechanism is to identify, to the greatest extent feasible, individuals, entities, groups or Governments who were perpetrators, organizers, sponsors or otherwise involved in the use of chemicals as weapons, including chlorine or any other toxic chemical, in the Syrian Arab Republic where an OPCW fact-finding mission determines or has determined that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons, including chlorine or any other toxic chemical. In accordance with Security Council resolution 2319 (2016), the mandate of the Mechanism will come to an end on 16 November 2017.

3. On 25 April 2017, the President of the Security Council informed the Secretary-General (see S/2017/355) that the members of the Security Council had taken note of the intention expressed in the letter dated 21 April from the Secretary-General (S/2017/354) to appoint Edmond Mulet (Guatemala) as the new Head of the Leadership Panel of the Mechanism. He assumed his functions on 1 May, and Stefan Mogl (Switzerland) and Judy Cheng-Hopkins (Malaysia) joined as members of the Leadership Panel on 2 May and 15 June, respectively. The Head of the Panel has overall responsibility for the work of the Mechanism, including its direction, supervision and management.

4. The Leadership Panel is supported by three components: the Political Office and the Planning and Operations Support Office in New York and the Investigative Office in The Hague, Netherlands. The Investigative Office is composed of two units: the Information Collection Unit and the Analysis and Corroboration Unit. As noted in the Mechanism's fifth report, these two dedicated, complementary units were established to enhance the working methods of the Investigative Office. In addition, the Mechanism is working to redeploy a liaison officer to Damascus.

5. The Mechanism continues to implement its mandate in accordance with the methods of work outlined in its previous reports. During the first phase (information collection and planning for case development), the Mechanism reviews and analyses data, collects relevant information and elaborates an investigation plan. On the basis of the analysis carried out during the first phase and the report of the fact-finding mission, the Leadership Panel takes a decision as to whether the Mechanism will conduct an in-depth investigation into a particular incident. The second phase (case investigation) commences thereafter, during which the Mechanism undertakes an in-depth analysis of the information obtained by the fact-finding mission and from other sources, and conducts field visits and witness interviews as necessary. The second phase continues until the Mechanism is satisfied that it has gathered and assessed all information that it can obtain and, on that basis, presents its findings to the Security Council.

6. With respect to the findings of the Leadership Panel regarding the four cases referred to in the Mechanism's third and fourth reports (S/2016/738/Rev.1 and S/2016/888), if new information is provided, supplementary investigations may be undertaken to identify additional actors who were perpetrators, sponsors, organizers or otherwise involved. In the absence of additional information and noting the current time frame for investigations, the Mechanism is focusing on new cases identified by the fact-finding mission.

### III. Activities

#### Cases under review

7. Since its fifth report, the Mechanism has reviewed two new cases identified by the fact-finding mission concerning incidents reported in Umm Hawsh, Aleppo Governorate, in September 2016, and Khan Shaykhun, Idlib Governorate, on 4 April 2017:

(a) *Umm Hawsh*. In a letter dated 4 May 2017, the Secretary-General transmitted to the President of the Security Council the "Report of the OPCW Fact-Finding Mission in Syria regarding the incident of 16 September 2016, as reported in the note verbale of the Syrian Arab Republic, number 113, dated 29 November 2016" (S/2017/400, enclosure). In the conclusion of that report, the fact-finding mission confirmed that the two female casualties reported to have been involved in the incident in Umm Hawsh, Aleppo, of 16 September 2016 were exposed to sulphur mustard. Based on the Mechanism's preliminary assessment of the case, which took into account the findings of the fact-finding mission, the Leadership Panel decided to proceed with an in-depth investigation into the incident;

(b) *Khan Shaykhun*. In a letter dated 18 May, the Secretary-General transmitted to the President of the Security Council the document entitled "Note by the Technical Secretariat: status update of the OPCW fact-finding mission in Syria regarding a reported incident in Khan Shaykhun, 4 April 2017" (S/2017/440, enclosure). The status update presents the results of an analysis of samples, which indicated the presence of sarin or a sarin-like substance.

8. While taking due note that the fact-finding mission has not yet issued its report in connection with the incident in Khan Shaykhun, the Mechanism is collecting information from alternative sources in relation to the incident. The Leadership Panel will make a formal decision on conducting an in-depth investigation into the Khan Shaykhun incident once the report of the fact-finding mission has been issued.

#### Investigative activities

9. Regarding the incident of September 2016 in Umm Hawsh, the Mechanism has prepared an investigation plan to guide its work, including with respect to the scope of its investigation. Consistent with its mandate, the Mechanism used the determination of the fact-finding mission as a starting point for its investigation, including the information and evidence collected by the fact-finding mission, and is in the process of seeking information from a range of other sources. At this stage, these sources include the Government of the Syrian Arab Republic, other States Members of the United Nations and publicly available sources.

10. The information being collected by the Mechanism includes photographs, videos and other digital information, sample analysis results, witness interviews and statements and other data. While continuing to collect relevant information and potential evidence, the Mechanism is simultaneously translating, analysing and assessing the information gathered.

11. The Mechanism has enhanced its technical and analytical capacity through engagement with several internationally recognized forensic and technical institutes, including those with geospatial expertise. These institutes have been engaged to conduct scientific analyses of material pertaining to the cases under investigation, including media files obtained by the Mechanism, in order to determine, inter alia, the authenticity of photographs and videos and to determine and/or verify specific dates and locations, which can be used for corroboration.

12. On 15 June 2017, the Mechanism addressed a formal request for information concerning the incident in Umm Hawsh to the Syrian Arab Republic, as well as relevant regional and other Member States. The request included questions related to, inter alia, the situation in and around Umm Hawsh in mid-September 2016, any chemical or chemical agent used, the means of delivery and the persons affected, including victims. Member States were also requested to provide any other information considered to be relevant to the incident. As responses to the questions are received and reviewed, the Mechanism will follow up with more specific requests and questions as may arise in the course of the investigation.

13. Regarding the incident reported in Khan Shaykhun, the Mechanism has analysed the status update of the fact-finding mission (S/2017/440, enclosure), is conducting a preliminary assessment of the information contained therein and is actively gathering and examining information from other sources pending the issuance of the report of the fact-finding mission.

#### **Interaction with Member States and the Organisation for the Prohibition of Chemical Weapons**

14. The Mechanism has continued to interact with Member States on matters relating to its mandate. Since taking up his functions on 1 May 2017, the Head of the Mechanism has met and continues to meet with Member States, including all members of the Security Council and the Syrian Arab Republic. He also regularly meets and exchanges information with the Director General of OPCW. The Mechanism continues to interact with the OPCW Technical Secretariat.

15. As stated in the fourth and fifth reports of the Mechanism (S/2016/888 and S/2017/131), on 10 October 2016, the Syrian Arab Republic notified the Mechanism that the Syrian national committee had opened an internal investigation, which included a review of flight plans and air operations. On 14 October 2016, the Leadership Panel requested the Government to provide information related thereto. The Panel continues to await a response from the Syrian Arab Republic.

16. Since the issuance of its fifth report, the Mechanism has received 21 formal allegations of non-State actors' acquisition, possession, transfer or use of, or intent to use, chemical weapons or toxic chemicals. Four allegations refer specifically to Islamic State in Iraq and the Levant (ISIL). Seventeen allegations concerned the acquisition, possession and transfer of chemical weapons or toxic chemicals, as well as missiles fitted with toxic chemicals, by non-State actors, including two allegations concerning the Nusrah Front. These allegations were shared with the OPCW Technical Secretariat.

#### **United Nations counter-terrorism and non-proliferation bodies**

17. As encouraged by the Security Council in its resolution 2319 (2016), the Head of the Mechanism met with the Chairs of the Security Council Committee established pursuant to resolution 1540 (2004); the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism; and the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida

and associated individuals, groups, undertakings and entities. The Mechanism continues to meet with relevant experts associated with the aforementioned Committees.

#### **IV. The way forward**

18. In accordance with its mandate, the starting point of the Mechanism's investigation is the determination by the fact-finding mission that a specific incident in the Syrian Arab Republic involved or likely involved the use of chemicals as weapons. The fact-finding mission is continuing investigations into other alleged incidents of the use of chemicals as weapons in the Syrian Arab Republic. The Leadership Panel will review any determinations of use of chemicals as weapons by the fact-finding mission, with a view to considering whether the Mechanism may investigate these incidents.

19. The Mechanism is gathering all relevant information concerning the two reported incidents involving the use of chemicals as weapons in Umm Hawsh and Khan Shaykhun in the Syrian Arab Republic. Member States, as well as international organizations, non-governmental organizations, other entities and individuals in possession of information relating to these incidents, are encouraged to approach the Mechanism and share such information at the earliest opportunity. The Mechanism continues to adhere to strict standards for the protection of confidential information.

20. The Leadership Panel reminds the Syrian Arab Republic and all parties in the country, as well as other Member States, that the investigation depends on the quality of information shared with the Mechanism and that its outcomes are tied to the timely receipt of such information.

#### **V. Concluding remarks**

21. The Leadership Panel resolutely condemns the use of chemicals as weapons in the Syrian Arab Republic. These deliberate, insidious acts of poisoning must stop. The international community has worked tirelessly to eradicate chemical weapons through the Geneva Protocol of 1925 and the Chemical Weapons Convention of 1993. We cannot allow these gains to be lost.

22. The Leadership Panel is concerned by unfortunate attempts to politicize the work of the Mechanism and is aware that various stakeholders hold views on how the investigation should be conducted in order to generate confidence in its outcomes. The Panel and the entire staff of the Mechanism remain committed to fully implementing its mandate in an independent, impartial and objective manner.

23. It is the hope of the Leadership Panel that its work, building on that of the previous Panel, may serve as an active deterrent to any further use of chemical weapons. To that end, the Mechanism will identify, to the greatest extent feasible, those involved in the use of such weapons in the Syrian Arab Republic, so that they may be brought to account.

24. The Leadership Panel wishes to thank the Member States for their continued expressions of support for the work of the Mechanism, including through contributions to its voluntary trust fund. The Panel also wishes to thank the United Nations Secretariat, in particular the Office for Disarmament Affairs, and the OPCW Technical Secretariat for their continued support for the functioning of the Mechanism.